

Reviews of American Sāmoa, Māori Issues, Niue, Sāmoa, Tokelau, Tonga, and Tuvalu are not included in this issue.

COOK ISLANDS

The period July 2004 to June 2005 can be described as a year of many political twisters and natural cyclones that continue to impact economic, political, and social programs in the Cook Islands. The country faced a series of cyclones, one drawn-out general election, several closely fought elections for parliamentary seats, court petitions, relatively regular changes in cabinet ministers and portfolios, two prime ministers, and three governments. The party that won the election resurfaced as the opposition and the prime minister came from one of the smallest constituencies in the country.

June 2004 began on a positive note with a three-day workshop conducted by the Cook Islands Ministry of Foreign Affairs and the Pacific Islands Forum, involving government agencies, nongovernmental agencies, and private-sector companies. The training reflected the spirit of the June 2000 Cotonou Agreement, which marked the start of a new economic and political relationship between the European Union and its African Caribbean Pacific group for the next twenty years. Minister of Finance Tapi Taio described the Economic Partnerships Agreements as important

in integrating country development with region-wide economic development and in ensuring that the sustainable development of the Cook Islands actually benefits the people (*CIN*, 3 June 2004, 6). As part of this developmental process, the Cook Islands government signed an agreement with the governments of Australia and New Zealand. This Cook Islands initiative, the first of its kind in the Pacific Islands, requires the Australian Agency for International Development (AusAID) to pay its financial contribution and a management service fee to the New Zealand Agency for International Development, which “will act as trustee of the funds to be put into projects of the single co-funded program” (*CIN*, 3 Sep 2004, 1). Loan reserves, projected to reach NZ\$20.1 million by 30 June 2006, are also provided so that existing Asian Development Bank loans can be serviced as they come due (*CIH*, 25 June, 2005, 7).

Planning meetings alone did not ensure financial responsibility, however, and the Ministry of Finance and Economic Development reiterated its warning about overspending and spiraling personnel costs (*CIN*, 30 June 2004, 1; 17 Jan 2005). Even the Chamber of Commerce warned of economic decline if government continued its overspending (*CIN*, 9 Mar 2005, 1). Given this general apprehension, the NZ\$2.4 million capital expenditure budget set for 2005–06 was already receiving much criticism

from the public at the end of the review period (*CIN*, 20 June 2005, 2). Director of Audit Paul Allsworth noted that regular departmental over-expenditures were primarily caused by poor planning and political interference (*CIN*, 17 June 2004, 1.). Ordinarily this problem could be solved through the Public Expenditure Review Committee, which is generally seen as an important part of government's public transparency. But the committee has had much of its budget cut and has no powers to prosecute or expose wrongdoing discovered by its audits (*CIN*, 29 June 2005, 1).

Economic development remained a major focus for the country, although certain promising enterprises received little public support. Tony Napa unsuccessfully defended his proposal to establish the island's first helicopter service, using a Raven 44 II Clipper helicopter for tourism, commerce, government, and emergency services (*CIN*, 3 June 2004, 1). Other enterprises carried more public support, including the Captain Bligh resort hotel in Aitutaki being built by the Tepaki group, and Virgin Blue's sister airline, Pacific Blue, flying from Australia via Christchurch to Rarotonga. Meanwhile Aloha Airlines announces it was ceasing its flights into Rarotonga, ending the direct connection to Hawai'i. A bill allowing the issuance of titles to anyone owning a portion of a building without being a lessee (similar to time-sharing) awaits more discussion. Although ownership of tourist accommodations is reserved for Cook Islanders, foreigners can access the industry by purchasing existing businesses that fail to find local buyers.

Overall, the important tourism industry has brought mixed results for the Cook Islands. Increased Air New Zealand flights have led to more tourists, but also shorter lengths of stay. Lack of leadership and vision in government's management of tourism development is sometimes cited as a major concern (*CIN*, 14 May 2005, 1). The drawn-out recruitment of a chief executive and the impact of several cyclones have also had a negative impact on the industry. In June 2005, the board of the Cook Islands Tourism Corporation reappointed Chris Wong as its chief executive for a further three years, launching a major post-cyclone recovery program. Media teams from the United States, Canada, New Zealand, and Australia were brought in to see that the cyclones had not damaged the islands' tourism infrastructure.

The fisheries sector had some successes during the year. Cook Islands Fish Exports signed a multi-million-dollar deal with a Chinese firm, Shanghai Deep Sea Fisheries. The deal came only a few months after Sealords withdrew from the Cook Islands to concentrate on their New Zealand operations. The Cook Islands Ministry of Marine Resources also issued more longline fishing licenses, to reach the current total of forty-four, but noted that the maximum of sixty licenses had yet to be reached (*CIN*, 19 July 2004, 1). Five Taiwanese boats arrived in Rarotonga to begin fishing in Cook Islands waters under a tripartite agreement between Taiwan's Gilontas Fishing Company, Cook Islands Fish Exports Ltd, and the Cook Islands government. The twenty-four-meter-long

fishing boats have twenty-ton storage capacities, and each carries a crew of twelve (CIN, 15 Oct 2004, 1).

During the review period, three Cook Islands registered ships were turned away from US ports for lack of compliance with the United Nations International Ship and Port Facility Security Code, which had come into effect a week earlier. The code “demands international ships have a signed certificate from their flag country that says that they comply with the new standards aimed at foiling terrorists” (CIN, 6 July 2004, 1). The *Picton Castle* was on her way to a tall ships festival in Rhode Island, and sailed instead to Nova Scotia in Canada. Cargo boat *Kwai* was expelled from Martha’s Vineyard in Massachusetts, and cargo vessel *Equuleus* was denied entry at Providence, Rhode Island.

Also during the 2004–2005 year, two leading telecommunication companies (Eircom and Esat BT) announced that they would be closing all direct dialing calls to the Cook Islands in an effort to crack down on Internet fraudsters targeting Irish consumers (CIN, 22 Sep 2004, 1). Another important industry, offshore banking, received a positive impetus when the Financial Action Task Force took the Cook Islands off its blacklist of uncooperative countries, leaving only Burma and Nigeria on the list (CIN, 12 Feb 2005, 1).

The agriculture ministry renewed concerns about the potential damage to the islands’ coconut trees after discovering a rhinoceros beetle on an Air New Zealand flight from Los Angeles and Tahiti. The coconut rhinoceros

beetle (*Oryctes rhinoceros*) found was a black female measuring 4.5 centimeters long (CIN, 20 Jan 2005, 1). Other than that, the agriculture sector has been relatively quiet, with much focus on nono or noni (*Morinda citrifolia*), vegetable gardening, and piggeries. In May 2005, Rarotonga hosted a successful two-day regional meeting of the steering committee for the development of sustainable agriculture in the Pacific (CIN, 31 May 2005, 1).

Environmental issues were underscored by a series of cyclones in February and March. Although the main force of Cyclone Meena missed Rarotonga, it caused serious damage to Mangaia Island harbor and airport (CIN, 9 Feb 2005, 1). A week later, Cyclone Nancy inflicted some major wind and surf damage on Rarotonga (CIN, 16 Feb 2005, 1). Super Cyclone Olaf proved even worse than Nancy in terms of damage to Rarotonga (CIN, 18 Feb 2005, 1), while Cyclone Percy badly damaged Pukapuka and Nassau (CIN, 2 Mar 2005, 1). Cyclone Rae caused serious damage on Palmerston and Pukapuka and prompted suggestions for the evacuation of women and children from Pukapuka and Nassau to Aitutaki (CIN, 23 Mar 2005, 1). The sixth cyclone, Sheila (tracked 20–23 April 2005), did not seem to receive the same attention as the others. The United Nations and the governments of Australia, New Zealand, and France offered help to storm-damaged Cook Islands, and workers of Cook Islands descent from New Zealand arrived in Rarotonga to assist with repairs to damaged houses. New Zealand cyclone aid amounted to nearly NZ\$2 million even before

super Cyclone Percy bore down on the islands (*CIN*, 2 Mar 2005, 1). The government declared a state of emergency, and problems with loiterers forced officials to issue warnings (*CIN*, 3 Mar 2005, 1).

Other environmental related issues that arose during the year included lagoon pollution and fish poisoning. Ongoing problems of irritation to swimmers in the Titikaveka area were finally linked to bacteria associated with household sewage and piggery waste leaking into the lagoon (*CIN*, 14 Oct 2004, 1). In 2003 there were 227 cases of fish poisoning reported in the Cook Islands, of which 169 cases (74 percent) occurred on Rarotonga. Forty of the Rarotonga victims were hospitalized. The number of patients with ciguatera poisoning increased from 19 in 1992 to 40 in 2003 (*CIN*, 29 June 2005, 1).

During the year, traditional leaders again expressed concern at the use of Cook Islands cultural images, such as chants, music, and drumbeats, without consent or proper acknowledgment (*CIN*, 26 June 2004, 9). Lily Henderson challenged her sister Marie for the traditional chiefly title of Pa Ariki, but the court ruled in favor of Pa Marie Ariki. Members of the Taka'i family also placed a claim for the Pa Ariki title. Their claim was also dismissed. Meanwhile, a report on corruption became a topic of conversation. The writers of the report, Dr Takiora Ingram and Mathilda Urhle, claimed, "Traditional respect for elders and leaders is a leading cause of corruption in the Cook Islands. . . . This respect stops people from asking questions about what is

going on." They also asserted, "Old habits, family ties, culture and tradition" set the scene for corrupt practices (*CIN*, 21 July 2004, 1).

In July 2004, New Zealand Education Minister Trevor Mallard, noting that Cook Islanders were the second-largest Pacific ethnic group in New Zealand, announced the addition of the Cook Islands Māori language as part of New Zealand's educational curriculum. He described the Cook Islands Māori language as "a precious gift from the Cook Islands community to New Zealanders" (*CIN*, 28 July 2004, 1).

Between July 2004 and June 2005, politics dominated the news. One of the most controversial and memorable political figures in Cook Islands history, the first premier, the late Albert Royale Henry, hit the headlines again when Parliament passed a motion granting full pardon for all convictions against him. Albert Henry had lost his leadership position and later his knighthood after an infamous 1979 bribery case. The forgiveness extended to Henry by fellow politicians was not generally shared by the country's citizens, who have developed a general apathy toward politicians. This indifference was reflected in a local press article accusing Prime Minister Dr Robert Woonton of corruption and improprieties. Local media owner George Pitt subsequently faced possible prosecution for publishing a letter by Woonton to the premier of the Republic of China following the prime minister's state visit there. The allegations of political corruption and sexual impropriety were singled out as libelous (*CIN*, 8 June 2004, 1).

The general elections were hotly contested by Cook Islands Party (CIP), Democratic Party, and a few independent candidates, with the two main parties portraying an image of unity within their ranks. In the absence of the queen's representative, who would normally act on such matters, the chief justice dissolved Parliament on the advice of the prime minister, and the general elections were set for 7 September 2004. During the campaigning, both major political parties declared their abhorrence for coalition government, with the Democratic Party leadership particularly adamant on this point (*CIN*, 17 June 2004, 1). While the Democratic Party focused on individual commitments to organizational goals, the Cook Islands Party signed agreements with individual candidates stating that they would not leave the party after being elected. The Cook Islands Party benefited from the open infighting among Democratic Party members. One of the victims of this infighting was Norman George, whose newly formed Tumu Enua Party failed to win any seats. In the end the Democratic Party won 14 seats and the Cook Islands Party won 9, with 1 seat going to an independent member (*CIN*, 6 Sep 2004, 6). The September elections also included a general referendum, and Cook Islanders voted to reduce parliamentary terms from five years to four (*CIN*, 16 Sep 2004, 1).

While the results of the referendum were clear, a squabble over the Democratic Party leadership added an element of uncertainty to election results already complicated by challenges to Prime Minister Woonton's seat. After the election, incumbent Woonton

announced the formation of a new political party, made up of Health Minister Peri Vaevae Pare, Education Minister Jim Marurai, as well as Teenui Mapumai, Poko Simpson, and the independent member for Rakahanga, Piho Rua (*CIN*, 1 Dec 2004, 1). This group joined with the Cook Islands Party, giving them the parliamentary majority needed to form a new government, with CIP leader Sir Geoffrey Henry as deputy prime minister. Not surprisingly, the Democratic Party severed its ties with the four members of Parliament who had switched allegiance after winning their seats under the Democratic Party banner (*CIN*, 3 Dec 2004, 1).

The Cook Islands Party further increased their numbers in Parliament after a court appeal awarded the Titikaveka seat to Tiki Matapo by a narrow, two-vote margin over Robert Wigmore. Court intervention also raised questions about the results of the Manihiki electorate, and placed Robert Woonton's seat in jeopardy. When the court ordered a by-election, Woonton was unable to continue as prime minister and Queen's Representative Sir Frederick Goodwin assumed executive powers pending a meeting of Parliament (*CIN*, 13 Dec 2004, 1). The new coalition government elected former Atiu MP Norman George as Speaker of Parliament. They also elected MP Jim Marurai as the new prime minister for two years in a shared agreement that will see Sir Geoffrey Henry take over leadership for the second half of the four-year term (*CIN*, 15 Dec 2004, 1). The new prime minister promised political stability, transparency in government, and growing prosperity. His govern-

ment established a new Ministry of Sports and prepared to celebrate the fortieth anniversary of Cook Islands self-government on 4 August 2005.

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References

CIH, *The Cook Islands Herald*. Rarotonga. Weekly.

CIN, *Cook Islands News*. Rarotonga. Daily.

FRENCH POLYNESIA

Events in French Polynesia in the period under review were essentially characterized by political upheaval and unrest, with an elected government ousted in a “legal coup,” only to return after another by-election. The country experienced a period of instability but also an unprecedented mobilization of peaceful popular protest, culminating in the largest demonstration march ever seen in Tahiti.

Before the crisis started, the islands were in a state of enthusiasm during July and most of August 2004. The new coalition government of the Union for Democracy (UPLD), Fetia Api, and No Oe E Te Nunaa parties was headed by pro-independence leader Oscar Temaru, who had been elected president in June after the almost twenty-year reign of pro-French Gaston Flosse. The new leadership’s motto, “Tauī” (“change” in Tahitian) was not only conceived in the purely political sense but also reflected a determination to set the whole society on a new course. It

implied a new cultural orientation, away from the French influence and back to the country’s Maohi (indigenous Polynesian) roots, as well as toward a more pan-Pacific perspective. Three events in particular embodied these tendencies.

On 12 July, the new government celebrated the annual autonomy holiday parade. Thousands of people participated, while several guests of honor from other Pacific Islands countries were present. The new president changed the holiday from 29 June to 12 July to honor Francis Sanford, the father of the territory’s first statute of autonomy of 12 July 1977. Flosse had made the holiday 29 June when he created another, enlarged autonomy statute, which passed on that date in 1984 (NT, 28 June 2004; TP, 12 July 2004).

In early August, President Temaru achieved an even greater triumph when he attended the Pacific Islands Forum in Apia, Sāmoa, and French Polynesia was granted long-awaited observer status in that organization. The president welcomed the reintegration of his country into the Pacific family and invoked his vision of a more closely integrated Pacific community in the future. He also formalized the demand that French Polynesia be reinscribed on the UN list of Non-Self-Governing Territories. However, he was careful to present this in his capacity as political party leader, not as president, in order not to create tensions with his anti-independence coalition partners (Temaru 2004; TP, 6 Aug 2004).

Finally, the Tauī also proved its vitality among institutions outside the political spectrum, when in mid-

August the Evangelical Church of French Polynesia, the country's largest denomination, renamed itself Protestant Maohi Church (*TP*, 16 Aug 2004).

While the dynamism of Taui made society aware of the dawning of a new era, the actual business of government was a challenge for Temaru and his inexperienced collaborators. Not only were they unfamiliar with the political system put in place by Flosse and his French bureaucrats, but the latter had also used a "scorched-earth" strategy after their defeat, leaving almost no records in the offices when the new government moved in (*TPM*, July 2005). In order to get an overview of the financial situation of the country, Temaru ordered an audit by a renowned French agency. His determination to uncover irregularities during Flosse's administration reportedly scared the ex-president and his supporters and made them even more determined to sabotage the new government (Regnault 2004, 153–154).

The crisis began in late August when two UPLD representatives in the Assembly of French Polynesia, Hiro Tefaarere and Ronald Terorotua, both with strong labor-union ties, followed by their colleagues Noa Tetuanui and Jean-Alain Frébault (who had previously crossed the floor from Tahoeraa), announced their intention to resign from the UPLD and form their own parliamentary group. They argued that Temaru's government had not kept its electoral promises, especially in the field of social policy. The second issue that roused their discontent was the cross installed by Speaker Antony Geros in the assem-

bly hall, seen by many as an assault on the secular character of the state (*TP*, 13 Aug, 18 Aug, 30 Aug 2004). Temaru tried to appease the dissidents' anger by making concessions. In a dramatic act he personally climbed on a ladder in the assembly hall to take down the cross (*TP*, 17 Sept 2004). Eventually he was able to reconcile with Tefaarere and Terorotua, and both returned to the assembly's majority group. Tetuanui and Frébault, however, refused to do likewise and on 24 September they formally resigned from Temaru's group, leaving the latter without a majority in the assembly (*TPM*, Oct 2004).

Together with independent representative Témauri Foster, the two eventually approached Flosse's Tahoeraa opposition, giving it a new majority. After a televised speech in which Temaru warned the population of a planned attempt to overthrow his government, Flosse declared on 4 October that a "motion of censure is not on the agenda" (*TPM*, Oct 2004). However, less than twenty-four hours later, such a motion was filed by both Tahoeraa and a newly founded assembly group called Te Ara ("The Awakening"), consisting of Tetuanui, Frébault, Foster, and three Tahoeraa representatives—apparently a puppet party set up by Flosse to give his motion the added legitimacy of being a two-party initiative (*TPM*, Nov 2004).

The extraordinary assembly session of 8 October, which was called to debate this motion, became a forty-eight-hour ordeal. Temaru, with his ministers and representatives, gave long speeches testifying to their achievements, and tried to convince

Noa Tetuanui to give up his “treachery” and return to the UPLD, on whose list he had been elected. But all attempts were unsuccessful, and late on the night of 9 October, the motion of censure passed with a slim majority of 29 to 28 votes (*TP*, 9 Oct 2004; *TPM*, Nov 2004).

After only four months in office, Oscar Temaru’s government had been ousted. From then on the situation became increasingly confusing. According to the Statute of French Polynesia, a government overthrown in a motion of censure remains in power as a caretaker administration until the assembly elects a new president. However, the two sides could not agree on a date for this vote to take place (*TP*, 12 Oct 2004; *TPM*, Nov 2004).

While the parties fought a legal battle over scheduling the vote, Temaru and his followers began to organize their resistance against Flosse’s return to power. Even before the vote of censure, Temaru had asked the French government to dissolve the assembly and call for fresh elections in order to create a clearly mandated majority (*TP*, 6 Oct 2004). This request was supported by large sections of the country’s population as well as the opposition parties in France. However, the ruling right-wing government of French President Jacques Chirac refused to comply. French Minister for Overseas Territories Brigitte Girardin—who had already contributed to political destabilization in Tahiti after the elections in May by stating that “the electoral process is far from being completed” (*TPM*, June 2004)—said that there was no reason for a dissolution as

long as there was no blockade of the country’s political institutions (*TP*, 12 Oct 2004).

On 16 October, Tahiti experienced the largest demonstration in its history when more than 22,000 people (official estimate) marched through the cities of Faa’a and Papeete to support Temaru’s call for the dissolution of the assembly and fresh elections (*TPM*, Nov 2004). Among the marchers were deputies from the opposition French Socialist Party, the most notable being Christian Paul, former minister for overseas territories in Lionel Jospin’s left-wing government (1997–2002), as well as Hawaiian independence activist Henry Noa. A petition demanding the dissolution was signed by almost 43,000 people during the following weeks (*TP*, 17 Nov 2004). Flosse’s followers, on the other hand, could mobilize only about 300 participants for a counter-demonstration in early December (*TP*, 4 Dec 2004).

Unimpressed by the October march, Lana Tetuanui, the assembly’s third vice speaker from Tahoeraa, opened an assembly session for the presidential vote, and on 22 October, Flosse was unanimously elected president. Under Flosse’s orders, the assembly building had been occupied by a militia made up of members of the Groupement d’Intervention de la Polynésie (GIP; see below), who intimidated all non-Tahoeraa supporters present, including Assembly Speaker Geros (*TPM*, Dec 2004). Geros contested the legality of the session presided over by Lana Tetuanui, as there was no legal basis for his replacement by one of the vice speakers (*TP*, 22 Oct 2004). French High

Commissioner Michel Mathieu, however, had given written orders to Lana Tetuanui to open the session (*TP*, 18 Oct 2004), thereby violating his required neutrality in local politics. Finally, on 25 October, the date set by Geros for the election session (for which Flosse had filed his candidacy and thereby implicitly recognized the illegality of his election on 22 October), Geros himself was absent, as Oscar Temaru had invited all his representatives to a meeting at the presidential palace. Inspired by Gandhi, they decided to hold a “spiritual fasting” on the palace grounds in order to underline their continuing demand for the assembly to be dissolved (*TP*, 25 Oct 2004).

In the following days, the situation in Papeete became more and more tense. On 26 October, Flosse presented his cabinet of seventeen ministers, almost all of them drawn from his previous cabinet (*TP*, 26 Oct 2004), while Temaru declared that he was still the only legitimate president since Flosse’s election had taken place under illegal circumstances. While Temaru, his cabinet, and a growing number of supporters held out at the palace, other groups of UPLD supporters, led by land rights activists Joinville Pomare and Clément Pito, began to occupy public buildings in Papeete, including the land affairs office, the government printing office, and the government information technology center (*TP*, 3 Nov 2004). At the same time, many public service employees began to strike and occupy their own office buildings to protest a situation in which they were receiving orders from two different govern-

ments and did not know which one to be loyal to. All this increasingly paralyzed the economic life of French Polynesia. Brigitte Girardin, however, still refused to dissolve the assembly, using the argument that there was still “no institutional blockade,” even though there obviously was (*TP*, 23 Oct 2004; *TPM*, Nov, Dec 2004).

As the blockades continued, both parties sent delegations to Paris to advocate their respective positions (*TPM*, Dec 2004). The French public became more and more aware of events in Tahiti, now featured in cover stories in the Paris media (*Le Nouvel Observateur*, 28 Oct 2004; *Libération*, various issues in Oct 2004; *L’Express*, 7 Feb 2005), which for the first time provided relatively well-informed, balanced coverage that was increasingly critical of Flosse and his system (Regnault 2004, 165–169). Even within Chirac’s ruling Union pour un Mouvement Populaire (UMP) party, previously unconditional support for Flosse began to crumble, as Béatrice Vernaudo and one other UMP deputy advocated the dissolution of the assembly (*TP*, 4 Nov 2004).

While the negotiations were under way, on 15 November 2004 the French State Council (highest administrative court) decided on a complaint filed by Flosse after the 23 May 2004 elections. The council found that Flosse’s complaint was justified, on the grounds that the curtains of the polling booths in Mahina on Tahiti’s east coast had the dark blue color of the mayor’s party, which is part of UPLD. According to the ruling, those colored curtains could have influenced the voters, and therefore

the election in the Windward Islands constituency (Tahiti and Moorea) was declared null and void, and a by-election called for 13 February (*TP*, 15 Nov 2004). However, the French State Council did not follow up complaints by UPLD concerning the outer islands, where other important irregularities may have taken place. With this one-sided action, the council once more demonstrated that the French authorities were not behaving neutrally. With the decision to hold by-elections in the Windward Islands, Temaru and his followers insisted on fresh elections in all the outer islands constituencies as well. They also demanded that until the elections took place, the country should be run by an appointed neutral caretaker administration, in order to prevent Flosse from using public resources for campaigning as he had done in previous electoral campaigns (*TPM*, Dec 2004).

Several rounds of negotiations in Paris got nowhere. In the end Flosse left the negotiation table, arguing that the public buildings were still occupied by Temaru's followers, although Temaru had promised to clear all of them (*TP*, 29 Nov 2004).

Frustrated with the failed negotiations, Tahiti's politicians reluctantly accepted the status quo and began to organize for the by-elections. UPLD, already comprising four allied parties in addition to Temaru's pro-independence Tavini Huiraatira, was joined by two new constituent organizations, Jacky Bryant's local Green Party (Heiura-Les Verts) and Stanley Cross's culturalist Te Hono Party (*TP*, 8 Nov 2004). On the national level, UPLD

received support from the French Socialists as well as from all other left-wing parties (*TP*, 27 Jan 2005).

While UPLD's strength thus seemed to be reinforced, Tahoeraa became weakened when two of its collaborators—ethnic Chinese community leader Robert Tanseau, and Flosse's former sports minister and chairman of the Tahoeraa youth wing Reynald Temarii—left Tahoeraa to run on their own tickets (*TP*, 12 Dec, 20 Dec 2004). Temaru's former coalition partners—Philip Schyle's Fetia Api and Nicole Bouteau's No Oe E Te Nunaa—decided to run on a common-list-styled Alliance pour une Démocratie Nouvelle (ADN), refusing the possibility of any governing coalition with either UPLD or Tahoeraa (*TP*, 1 Feb 2005).

In the subsequent campaign, Tahoeraa once again tried to polarize voters between the political concepts of autonomy (implying continuing ties with France) and independence, presenting the latter as a recipe for chaos and economic misery and itself as the only "saviour of autonomy" against the "evil independentist" UPLD. In the pro-Tahoeraa weekly *L'Hebdo*, Temaru and his collaborators were virulently attacked. Similarly, Bouteau and Schyle were denounced as "false autonomists" because of their previous participation in Temaru's government (*L'Hebdo*, 10 Feb 2005). Both UPLD and ADN, on the other hand, tried to avoid the controversial independence issue and focus instead on economic and social issues, criticizing Flosse's governance and promising a better way to run the country. UPLD stressed the merits of its previous gov-

ernment and promised to change the ways of the country for the benefit of its people. While Temaru's first government was referred to as the period of Taui, the period after February 13 was designated Taui Roa ("big change") (*TPM*, Feb 2005; *To'ere*, 3 Feb 2005).

Political campaigning even included the publication of books. In late 2004, political scientist Jean-Marc Regnault published an analysis of Oscar Temaru's rise and fall titled *Taui: Oscar Temaru/Gaston Flosse, le pouvoir confisqué* ("Taui . . . the power confiscated"), denouncing the complicity of the French state in what had been called Flosse's "legal coup" (Regnault 2004; *TPM*, Nov 2004). The first printing sold out within two days. Following this enormous success, Tahoeraa severely attacked Regnault, accusing him of partiality and questioning his academic credentials. In January 2005, Flosse's director of communications, Yves Hauptert, published his own political analysis as a reply. Entitled *Taui, l'espoir trahi* ("Taui, the hope betrayed"), the work accused Temaru of incompetence and having an evil mind, while presenting Flosse as the country's "saviour" (Hauptert 2005).

The campaign, accompanied by multiple provocations and incidents (*To'ere*, 17 Feb 2005; *L'Hebdo*, 10 Feb 2005), politicized society to a degree seldom seen before. Almost all households declared themselves by hoisting either Temaru's light blue and white flag, or Flosse's orange banner. On 5 February, the campaign reached its climax with another mass march of 15,000 to 25,000 UPLD supporters

to downtown Papeete (*TP*, 5 Feb 2005), while Tahoeraa, in considerably smaller numbers, organized various automobile convoys around the island to show its presence (*TPM*, Feb 2005). On election day, the situation remained tense, with hundreds of enthusiastic party supporters beleaguering each polling station. This time, however, the authorities rigidly enforced the rules and banned any display of political symbolism within the polling stations.

The election results consolidated UPLD support in the Windward Islands by giving it an overwhelming victory, more than 6,000 votes ahead of Tahoeraa. Tahoeraa also lost the lead in almost all municipalities, while in 2004 it had still maintained the majority of votes in most rural districts of Tahiti. The political map of Tahiti turned from orange with some blue spots to an almost pure blue (*To'ere*, 17 Feb 2005). With 46.94 percent of the votes, UPLD obtained the one-third-of-seats majority bonus and received 25 of the 37 seats in the Windward Islands constituency, while Tahoeraa, with 40 percent of the votes, won only 10 seats. ADN, which had hoped to attract many voters frustrated by the political polarization, obtained only 10.56 percent, less than Fetia Api and No Oe E Te Nunaa combined in 2004, and just enough for Bouteau and Schyle to retain their 2 seats. None of the smaller parties received the 3 percent necessary to be eligible for a seat (*NT*, 14 Feb 2005). The results confirmed once more, after the mass protests in October, that the UPLD's slight victory in 2004 was not an accident,

as Flosse and his Paris supporters wanted to believe, but rather the first indication of a deeply rooted popular desire for political change (*TPM*, Dec 2004).

Oscar Temaru's new popular mandate was still hard to translate into a stable political majority. As the representation of the outer islands remained unchanged, with most of their representatives members of Tahoeraa, there was still no clear majority in the assembly as a whole, with 28 seats for UPLD, 27 for Tahoeraa, and 2 for ADN (*NT*, 15 Feb 2005). With ADN insisting on their political neutrality, Temaru was 1 seat short of an absolute majority. As in the aftermath of the 23 May 2004 elections, a period of rumors and uncertainty followed.

Although Flosse had announced that he would resign if his party lost the election, he still tried to hold on to power by all means (*NT*, 15 Feb 2005). This time, however, his stubborn behavior met resistance from some of his own followers. Two of his ministers, Jean-Christophe Bouissou and Georges Puchon, openly criticized his refusal to honor his previous announcement (*NT*, 18 Feb 2005). UPLD then filed a motion of censure against Flosse, which was adopted by the assembly on 18 February with the support of UPLD and ADN (*NT*, 19 Feb 2005).

After some more destabilization attempts by Tahoeraa, Oscar Temaru was finally elected president on 3 March with a bare majority of 29 votes. The twenty-ninth vote was cast by Jean-Alain Frébault, who had once more crossed the floor and joined the

UPLD, suggesting a pattern of opportunism on his part. Tahoeraa's surprising counter-candidate, Bora Bora Mayor Gaston Tong Sang, received 26 votes, while the two ADN representatives abstained. In his inaugural speech, Temaru underlined once more that independence was not on his immediate agenda. Instead, his government would focus on consolidation of the country's economy and reform of the ineffective and inflated bureaucratic apparatus, creating more transparency in government operations. The new president also declared he would govern with the present majority in the assembly and no longer insist on fresh elections for the outer islands (*TP*, 3 March 2005; *TPM*, March 2005).

On 7 March, the change of government concluded with the presentation of Temaru's new cabinet of sixteen ministers. As he had in 2004, Temaru took the portfolios of foreign relations and municipal development. Vice President Jacqui Drollet held the portfolios of tourism and civil aviation. Also familiar from Temaru's first cabinet were Emile Vanfasse as minister of finance and economy; Emile Vernaudon as minister for postal services, telecommunications, and sports; Keitapu Maamaatuaiahutapu as minister for fisheries and maritime resources; Jean-Marius Raapoto as minister for education; James Salmon as minister for equipment, transport, and energy; and Gilles Tefaatau as minister of lands, surveys, and housing. Newly appointed to the cabinet were former labor union leader Pierre Frébault as minister for labor; former television journalist Ahiti Roomataa-

roa as minister for agriculture; Georges Handerson with the portfolio of environment and disaster prevention; Pia Faatomo as minister of health; Patricia Jennings as minister for social affairs; Tina Cross (co-leader of Te Hono) as minister for women and family; former boxing champion Tauhiti Nena as minister for culture and youth; and Natacha Taurua as minister for traditional arts and crafts. Directly taken over from Flosse's last cabinet was Louis Frébault as minister for the development of the outer islands—an appointment seemingly designed to halt his brother Jean-Alain's recent pattern of political switching (*TP*, 7 March 2005).

A few days later, however, the new government was challenged by another serious political crisis. This was triggered by members of the Groupement d'Intervention de la Polynésie (GIP, Polynesian Intervention Grouping), a service agency for public works and security services under direct orders of the presidency and created by Flosse in the mid-1990s. On 9 March, Temaru had removed from office GIP commander Léonard Puputauki, a faithful supporter of Flosse, and replaced him with his own right-hand man, Robert Maker. However, GIP members refused Maker entrance to the GIP headquarters. Temaru called on the mutineers to be loyal to the government, but later in March the crisis became more critical when more than a hundred GIP members with trucks and bulldozers, led by Puputauki, blocked the bridge leading to Papeete's port facilities, cutting off access to the country's oil reserves and thereby

threatening the energy supply. They demanded that the president recall Maker and instead appoint Puputauki's lieutenant, Yannick Boosie. Faced with a collapse of the country's economy, Temaru finally had to give in to the mutineers' demands, a humiliating experience for the new government. However, Temaru made Boosie's appointment temporary and at the same time appointed a commissioner to audit the GIP (*TPM*, April 2005).

These events indicated more clearly than ever that the GIP was not a neutral institution serving community interests, but a militia under Gaston Flosse's personal orders. As such it was almost impossible for another government to control and therefore it represented a constant threat to political stability. It had been revealed earlier that an intelligence cell within the GIP had used highly sophisticated technology to spy on anyone Flosse was suspicious of, including some of his own supporters (*TPM*, Oct, Dec 2004). In controversial testimony during the political turmoil of October 2004, a former GIP member had even claimed that GIP members had abducted, tortured, and murdered Jean-Pascal Couraud, a journalist critical of Flosse who mysteriously disappeared in 1997 (*TPM*, Nov 2004). The 2002 disappearance of Fetia Api founder Boris Léontieff and some other party leaders in the Tuamotu archipelago also remains unexplained (*TP*, 20 May 2005; *TPM*, June 2005).

With one crisis, if not resolved, at least temporarily deferred, another soon followed, this time within the UPLD and again involving Hiro Tefaarere. Tefaarere had headed the assembly as Speaker on an interim

basis since November 2004, when Antony Geros, elected in May 2004 for a one-year term, had lost his seat when the elections in the Windward Islands were declared invalid.

Although UPLD once more designed Geros as its candidate for the position in the election scheduled for 14 April, Tefaarere refused to respect this decision and declared himself a candidate. Geros received a small majority of 28 votes, against 26 for Tahoeraa's Lana Tetuanui and ADN's usual two abstentions, while Tefaarere obtained only his own vote (*TPM*, May 2005). Even if this result did not actually threaten the government's majority, it gave the impression to outsiders that the UPLD was having difficulty maintaining internal discipline, a situation exploited and exaggerated by the opposition press (*L'Hebdo*, 14 April 2005).

Another issue that came up quite surprisingly in the course of Taui was the question of customary leadership. On 12 March, about thirty descendants of ari'i (royalty), led by Joinville Pomare, descendant of Tahiti's royal Pomare lineage, demanded the creation of a "Royal Customary Council" as a consultative political institution. They insisted that the voices of customary leaders needed to be heard in a second house besides the assembly, and they cited as models the Customary Senate (representation of Kanak Chiefs) in New Caledonia, as well as the customary royal institutions in Wallis and Futuna (*TP*, 13 March, 4 May 2004). As French Polynesia is one of the least traditional societies in the Pacific, such a proposal is unlikely to find support among the country's population. The

French wiped out its chiefly leadership more than a century ago, and various voices denounced the proposals as advocating a "return to feudal privileges" (*TPM*, April, June 2005).

More than anything else, the spirit of Taui represented a significant increase in freedom of expression, which had been limited in many ways by Flosse's authoritarian tendencies. One issue people now dared to speak about publicly was French nuclear testing and its consequences. On 17 May, the nuclear test victims association Moruroa e Tatou (MeT) presented several classified military documents showing that the island of Mangareva was severely contaminated as a result of aboveground testing in the 1960s, yet the French military had not taken any security measures to protect the population. MeT chairman Roland Oldham said there is now sufficient proof to sue the French government for compensation. On 27 May, Gaston Flosse, himself a native Mangarevan, but thus far a staunch supporter of nuclear testing, surprisingly demanded the formation of a fact-finding commission on radiation on his home island. Many observers wondered about his intentions, as during his presidency Flosse had always refused to even talk to MeT (*To'ere*, 28 May 2005; *TPM*, June 2005; *TP*, 17 May, 27 May 2005).

The UPLD's return to power also meant a continuation of a Pacific-focused foreign policy. While regular trips to Paris are a necessary part of government business, Temaru is far more enthusiastic about traveling to and maintaining relations with the neighboring Pacific Islands. He has

traveled frequently to New Zealand, and made trips to Hawai'i and Sāmoa in May and June (*TP*, 14 May 2005; *PIR*, 2 June 2005). As he said at a press conference in Honolulu, "The French don't want us to have a link with the other Pacific countries. They want us to fly from Tahiti to Paris—and that's all. So we have to work on our relations with our brothers all over the Pacific" (*Haleakalā Times*, 8 June 2005).

Reorienting the political system also means replacing the technocratic French administrative style with the simplicity of the "Pacific Way." While the common Tahitian people are likely to benefit from this reform, Flosse and other members of the old elite constantly criticize and ridicule it as "political amateurism" by "incompetents" (*TPM*, Nov 2004). Given the amounts of French aid money available, it is also hard to resist temptation. While Temaru as well as many of his collaborators are working hard to realize their political program, many less noble individuals within the new administration have only their own benefit in mind. As *Tahiti Pacifique* editor Alex Du Prel noted with disapproval, this has led to constant power struggles within the UPLD and to the cases of corruption that had become common under Flosse (*TPM*, June 2005).

Economically, the new government is sending a mixed message, encouraging investment, notably in the tourism industry, while at the same time stressing the need for all development to be sustainable and beneficial to the local community (*TP*, 19 April 2005). While it is too early to evaluate the Tau'i's long-term impact on the econ-

omy, the Tahoeraa opposition continues to promulgate a sinister scenario of economic downfall, accusing Temaru of preparing "the cubanisation of our country" (*L'Hebdo*, 2 June 2005).

In spite of such criticism, the population seems to be favorably inclined toward the new leadership. In May 2005, an opinion poll showed that more than half of the population supported the new government, and that Oscar Temaru was the most popular politician (*TP*, 27 May 2005).

Concerning the long-term political status of the country, there is still much confusion about where to go, even within UPLD. Temaru personally favors independence but is aware of the fact that the majority of the population presently supports continued political dependency on France. He has suggested a process like that provided by the Nouméa Accord in New Caledonia, granting increased autonomy and leading to a referendum on independence after one or two decades, when the country will be economically fit to stand on its own. Once again, Tahoeraa has severely criticized this proposal (24 June 2005).

Behind all this talk about political statutes, however, the main problem remains of how to wean the country away from the annual French subsidies of 130 billion Pacific francs (more than US\$1 billion), which pay for almost everything (*TPM*, June 2005). One can only hope that the new political leadership will have more courage to overcome this dependency than previous governments have had.

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References

- L'Express*. Weekly. Paris. <<http://www.lexpress.fr>>
- Haleakalā Times*. Bi-weekly. Maui, Hawai'i.
- Hauptert, Yves. 2005. *Taui: L'espoir trahi*. Papeete: Société Polynésienne d'Édition.
- L'Hebdo*. Weekly. Tahiti. <<http://www.hebdo.pf>>
- Libération*. Daily. Paris. <<http://www.liberation.fr>>
- Le Nouvel Observateur*. Weekly. Paris. <<http://www.nouvelobs.com>>
- NT, *Les Nouvelles de Tahiti*. Daily. Tahiti.
- Regnault, Jean-Marc. 2004. *Taui: Oscar Temaru/Gaston Flosse, Le pouvoir confisqué*. Moorea (French Polynesia): Les Editions de Tahiti.
- Temaru, Oscar. 2005. Speech at the 35th Pacific Islands Forum in Apia, Sāmoa, 4 August.
- TPM, *Tahiti Pacifique Magazine*. Monthly. Tahiti. <<http://www.tahiti-pacifique.com>>
- TP, *Tahitipresse*. Daily Internet news. Tahiti. <<http://www.tahitipresse.pf>>
- To'ere*. Weekly. Tahiti.

HAWAIIAN ISSUES

The year 2005 marked the fifth anniversary of the introduction to the United States Congress of legislation known as the Akaka Bill, after its primary benefactor and one of Hawai'i's senators, Daniel Akaka. The bill was prompted by litigation in the US Supreme Court challenging the Hawaiians-only voting policies for the state government's Office of Hawaiian Affairs (OHA). In 1997, Harold "Freddy" Rice, a non-Hawai-

ian rancher, sued the State of Hawai'i to challenge its Hawaiians-only policy for OHA elections. The case, *Rice v Cayetano* (Benjamin Cayetano was then governor of Hawai'i), argued that the election policy was racist and unconstitutional, citing the Fourteenth and Fifteenth Amendments. Rice appealed his case up the judicial hierarchy and finally won a hearing at the US Supreme Court in early 2000. The justices sided with Rice, annulled the state's policy, and allowed non-Hawaiians to vote for OHA trustees.

In its original conception, the Akaka Bill was seen as a way of neutralizing the detrimental ruling in *Rice v Cayetano* by recognizing Native Hawaiians as indigenous people of the United States, thus placing them in the same category as Native Americans. However, Hawai'i's congressional delegation was unable to push the controversial bill through Congress in time to preempt the Supreme Court's decision in favor of Rice. Since 2000, non-Hawaiians have been able to participate in the election of OHA trustees.

Undeterred, Senator Akaka has revised and resubmitted the bill every year since 2000. Meanwhile, other court cases have appeared, challenging the existence of the Office of Hawaiian Affairs, the Department of Hawaiian Home Lands, and all programs, agencies, and federal grants designed to assist Native Hawaiians. Five years after its inception, supporters of the Akaka Bill continue their fight and hope for success before other lawsuits eliminate these support agencies.

Since the 1898 US annexation of Hawai'i, a political and legal rela-

tionship has existed between Native Hawaiians and the United States. As a part of this special relationship, the United States has created legislative acts specific to Native Hawaiians and has also included Native Hawaiians in other federal laws pertaining to Native Americans. Federal recognition of Native Hawaiians as an indigenous people of the United States would formalize this de facto relationship and afford Native Hawaiians the same rights and protections enjoyed by other Native American nations.

Among the US federal legislative actions directly relevant to Native Hawaiians is the Hawaiian Homes Commission Act of 1920, which set aside approximately 200,000 acres of land for Hawaiian homesteading. When Hawai'i became a state of the union in 1959, the federal government required the newly formed State of Hawai'i to adopt the Hawaiian Homes Commission Act. It bequeathed those lands, along with some 1.8 million acres formerly belonging to the Hawaiian national government (also known as "ceded lands"), to be held in trust for Native Hawaiians. These lands (two million acres total) continue to be under the jurisdiction of the State of Hawai'i.

The State of Hawai'i has also enacted legislation concerning Native Hawaiians. The Office of Hawaiian Affairs was established during the state's 1978 constitutional convention to manage a portion of the revenues generated by these "public trust" lands. Because the Office of Hawaiian Affairs was intended to serve as a liaison between Native Hawaiians and the State of Hawai'i, the state

allowed a Hawaiians-only voting policy for the agency.

Although the United States and its subordinate, the State of Hawai'i, demonstrated through these acts recognition of a special relationship with the Native Hawaiian people, the United States had yet to officially acknowledge its role in the overthrow of the Hawaiian government in 1893. One hundred years later, in November 1993, the United States finally extended an apology to Native Hawaiians and recognized that as a people they had never relinquished their inherent claims to sovereignty. Public Law 103-150, known as the Apology Resolution, sparked a series of meetings to identify the next step of a process of reconciliation between the United States and Native Hawaiians. These meetings eventually led the US Departments of Interior and Justice to issue a report entitled *From Mauka to Makai: The River of Justice Must Flow Freely* (2000). The report recommended that the "Native Hawaiian people should have self-determination over their own affairs within the framework of federal law."

Since its introduction in 2000, the Akaka Bill has changed significantly and incorporates a process for federal recognition as well as a process for establishing a new Native Hawaiian governing entity. The purpose of the current bill, the Native Hawaiian Government Reorganization Act of 2005 (S 147), is "to provide a process for the reorganization of the Native Hawaiian governing entity and the reaffirmation of the political and legal relationship between the United States and the Native Hawaiian governing

entity for the purposes of continuing a government to government relationship.” The bill establishes two agencies within the federal government—the Office for Native Hawaiian Affairs and the Native Hawaiian Interagency Coordinating Group—which would interact with the Native Hawaiian governing entity and participate in negotiations between the United States, the State of Hawai‘i, and the Native Hawaiian governing entity.

In January 2004, a portion of the Akaka Bill was excerpted and separately established the Office of Native Hawaiian Relations within the office of the US Department of the Interior. Much like the Bureau of Indian Affairs, this office is meant to serve as the primary entity through which the process of reconciliation between Native Hawaiians and the United States may continue. The Office of Native Hawaiian Relations is also meant to function as the lead agency for the Native Hawaiian Interagency Coordinating Group outlined in section 6 of the Akaka Bill. The group’s primary responsibility is to coordinate federal programs and policies affecting Native Hawaiians.

In the reorganization process outlined in the bill, the first step would be the creation of a commission of nine members who must be Native Hawaiian, be appointed by the secretary of the interior, and have “expertise in the determination of Native Hawaiian ancestry and lineal descendency.” This commission’s primary responsibility would be the preparation, certification, and maintenance of a registry of Native Hawaiians who wish to participate in the pro-

cess. Within two years of passage of the bill, the commission would be required to submit that registry to the secretary of the interior to be published in the federal registrar. Those on the certified roll would be eligible to elect the interim governing council.

The interim governing council would be charged with organizing and conducting a referendum on the proposed elements of the organic documents of the Native Hawaiian governing entity, which include (1) criteria for citizenship; (2) powers and authorities of the Native Hawaiian governing entity; (3) privileges and immunities of the Native Hawaiian governing entity; (4) the civil rights and protection of civil rights of its citizens; and (5) all other issues deemed appropriate. Following the drafting of the proposed organic documents, the interim governing council would conduct an election for the purpose of ratifying the organic documents. Subsequently, the documents would be submitted to the secretary of the interior for approval and certification.

Following certification by the secretary of the interior, the United States would reaffirm the political and legal relationship between the United States and the Native Hawaiian governing entity and extend federal recognition to that entity as the representative governing body of the Native Hawaiian people. After official recognition, negotiations would begin between the United States, the Native Hawaiian governing entity, and the State of Hawai‘i concerning the transfer of lands, natural resources, assets; pro-

tections of existing rights; exercise of government authority; civil and criminal jurisdiction; and delegation of governmental powers and authorities to the Native Hawaiian governing entity by the United States and the State of Hawai'i.

The bill also includes a few disclaimers and restrictions. For example, gaming and access to current or future Bureau of Indian Affairs programs or assets would be prohibited, and a twenty-year statute of limitations would be placed on all claims against the United States.

In the face of another four years under a Republican administration, Hawai'i's Democrat congressional delegation and sponsors of the Akaka Bill were concerned over its fate. However, Hawai'i's Republican governor, Linda Lingle, has become one of the bill's most fervent supporters, and in October 2004 Senator Akaka and his fellow senator from Hawai'i, Daniel Inouye, were able to secure an agreement with US Senate Majority Leader Bill Frist (Republican-Tennessee) and Senator Pete Dominici (Republican-New Mexico) that the Akaka Bill would have its time for debate on the Senate floor before 7 August 2005.

Governor Lingle openly lobbied for the Akaka Bill both in Hawai'i and in Washington DC. At the beginning of the 2005 congressional session, Lingle personally went to see opponents of the bill to dispel any misinformation and to push for a full debate on the matter. In her words, "The Akaka Bill is fair and just—nothing more, nothing less" (*Honolulu Advertiser*, 13 July 2005).

With Lingle's support, Akaka and the bill's other supporters have also secured several cosponsors from the Republican Party: Senators Norm Coleman (Minnesota), Lindsey Graham (South Carolina), Lisa Murkowski (Alaska), and Gordon Smith (Oregon). The bill needs 51 votes to pass, and there are 47 Democrats and 4 Republican cosponsors. If the bill can come to a vote in the Senate, Akaka is confident that there are enough votes to pass it.

The October 2004 agreement between Akaka, Inouye, Frist, and Dominici allegedly came about after Akaka and Inouye promised to vote in favor of opening the Arctic National Wildlife Refuge to oil development. In March 2005, Akaka and Inouye were two of three Democrats that crossed party lines and voted to open the area for drilling. When questioned, Akaka and Inouye stressed that they believed "their votes represent the position of a majority of the native peoples in the region" (Camire 2005). On 9 March 2005, the Akaka Bill was passed unanimously by the Senate Indian Affairs Committee. But at the end of the review period, and in spite of the October 2004 agreement, the bill is not scheduled for debate on the US Senate floor until September 2005.

With an impending debate on the controversial bill, critics have stipulated further amendments. For example, the US Justice Department is demanding (1) explicit language either precluding future claims for lands formerly held by Native Hawaiians or shortening the twenty-year statute of limitations for claims; (2) no interference with military operations (includ-

ing those on disputed lands); (3) reiteration of the prohibition of gambling rights; (4) clarification of jurisdiction over criminal matters; and (5) a provision allowing non-Hawaiians to serve on the registry commission.

Other opponents of the legislation fall into two general categories: Hawaiian national independence groups and anti-affirmative-action groups. The former argue for complete independence from the United States, which cannot be achieved through US domestic laws. The latter argue that such legislation gives Native Hawaiians unwarranted rights and is unconstitutional and racist. In a letter to his constituents (an extract of which was published in the *Honolulu Advertiser*), Arizona Republican Senator John Kyl characterized the bill as a “recipe for permanent racial conflict . . . motivated by a desire to immunize government preferences for Native Hawaiians from constitutional scrutiny under the U.S. Supreme Court’s decision in *Rice v. Cayetano*, 2000” (Kyl 2005).

Supporters continue to stress the protective aspects of the Akaka Bill, especially in light of pending litigation that could invalidate all programs and agencies that aid Native Hawaiians. In fact, they argue that the bill would enable Native Hawaiians to exercise direct control over those same programs and agencies, and would continue the reconciliation process with the United States by allowing Native Hawaiians the same rights and responsibilities currently recognized for Native American nations. Supporters of this domestic legislation want to remain within the framework of

the US Constitution and believe that going to the United Nations, as some opponents suggest, is futile because the United States refuses to participate in international arbitration.

One of the main champions of federal recognition and the Akaka Bill has been the Office of Hawaiian Affairs. This state agency has taken out costly, two-page, color ads in local newspapers listing organizations and individuals who support the bill. To encourage people to sign up for Kau Inoa, a native Hawaiian registry (one that would ostensibly become the registry mentioned in the bill), the Office of Hawaiian Affairs has staffed tables at community events, craft fairs, and concerts, and has run television and radio commercials offering T-shirt prizes to those who sign up. The Office of Hawaiian Affairs also sponsored a documentary by local director Edgy Lee called *The Hawaiians: Reflecting Spirit*, a “one-hour primer on the spiritual, historical and cultural bonds between Hawaiians and their native lands” (Tsai 2005). In addition, the agency is planning a \$32 million, 60,000-square-foot cultural center in downtown Honolulu.

History shows that the United States has treated Native Hawaiians like Native Americans in the creation of federal acts specific to Native Hawaiians and in the inclusion of Native Hawaiians in several Native American legislative acts. What supporters of the bill are looking for is protection from litigation and the transfer of currently available assets from the State of Hawai‘i and the federal government to a Native Hawaiian body. For others, this

legislation is either too much or not enough to address Hawai'i's unique history. Some opponents argue that granting special rights to a group of people is racist and unconstitutional. Others argue that it is not the place of the United States to legislate self-determination, and that in fact this move negates the process. In any case, the crux of the congressional debate lies in the question, are Native Hawaiians a race or a nation of people?

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References

- Camire, Dennis. 2005. Hawaii's Senators Help Open Arctic Drilling. *Honolulu Advertiser*, 17 March.
- Kyl, John. 2005. Akaka Bill A Recipe for Racial Conflict. *Honolulu Advertiser*, 17 July.
- Tsai, Michael. 2005. "Land is Life." *Honolulu Advertiser*, 13 March.
- US Congress. Senate. 2005. *Native Hawaiian Government Reorganization Act of 2005*. S 147, 109th Congress, 1st Session. 25 January.
- US Department of Interior and US Department of Justice. 2000. *From Mauka to Makai: The River of Justice Must Flow Freely*. Report on the Reconciliation Process Between the Federal Government and Native Hawaiians. 23 October. Washington DC.
- WALLIS AND FUTUNA
- Wallis and Futuna High Commissioner Christian Job successfully addressed the territory's financial recovery by imposing an eleven-point protocol, which, among other things, obliged civil servants to accept a two-year freeze on promotions and a cancellation of overtime, and also decreased school support. For its part, the French State agreed to finance half of the deficit (A\$600 million). These measures generated much confusion, for instance, regarding how much of the responsibility for school costs parents have to assume; some Wallisians and Futunans felt that the local government, drawing largely on money from metropolitan France, should continue to fund transport and partial food allowances. Three ministers and the faipule (village leader) of Hahake, who sided with France regarding the school funding reforms, were relieved of office on 1 April 2005 by the Lavelua (paramount chief of Wallis), who replaced them with more conservative ministers.
- In January 2005, Tomasi Tuughala, one of the grandsons of the Lavelua of Wallis, was sentenced to eighteen months in prison for involuntary manslaughter following a car accident. His mother, Etua (the Lavelua's daughter), refused to accept the sentence handed down by the French courts because Wallisian customary law allows a faihu (amiable settlement) to be reached with the victim's family. Since the gendarmerie (national police) had been ordered to arrest the young man, she encouraged her son to seek refuge with his grandfather. A similar situation had occurred in 2001, when another of the king's grandsons had taken refuge in the royal palace after being found guilty of rape. The French authorities finally abandoned both cases.
- Some customary law authorities

considered Tomasi Tuugahala to be above French law since he is a descendant of the 86-year-old Lavelua. Others noted that, while the 1961 statute confirmed the authority of Wallisian customary law, it did so only so long as it was not contrary to the French penal code. They thought that Tuugahala should give himself up and that the king should eventually abdicate or be deposed. The New Caledonian satirical magazine *Le Chien Bleu* wrote scathingly, "Some customary law officials like to invoke Wallisian customary law when it suits them and love of France when their wallet is empty" (No. 83, June 2005).

The crisis increased a notch on 13 May 2005 when the Grande Chefferie (the Great Assembly) of Wallis demanded that the high commissioner and chief justice leave the territory and wanted the Territorial Assembly to be closed. A delegation of chiefs went to the royal palace but was unable to see the Lavelua. With approval from Paris, High Commissioner Job suspended monthly allowance payments to the Lavelua and those customary law ministers who supported him in refusing to turn his grandson over to the authorities. On 16 May one man was seriously injured in clashes between Lavelua supporters and those who support change in customary law.

On 22 May a second council of ministers was named by those village chiefs who felt that the Great Assembly had made a mistake. They chose not to designate a new Lavelua. It is interesting to note that while the title of Lavelua is not hereditary, the current king, Tomasi Kulimoetoke, is the first out of a long line of rulers

to have reigned for more than forty years. The initial stage of the customary law crisis ended on 7 June, when two squads of gendarmes (that is, forty French national police officers) were sent from New Caledonia to separate the antagonists, and the wanted man gave himself up to the French authorities. For the annual Free French ceremony on 18 June, the second council of ministers was present in the administration courtyard, while the original council assembled at the Lavelua's palace.

During the Wallisian royal family crisis, the two Great Assemblies of Futuna (Sigave and Alo) took a stand against the Lavelua and requested once again the creation of a vice prefecture and a local branch of the Territorial Assembly so that they would no longer be dependent on Wallis.

On 20 June 2005, Pope Benedict XVI named a replacement for Bishop Lolesio Fuahea, who retired after more than thirty years of service. Monsignor Ghislain de Rasily will be invested during a big religious celebration in August 2005. Born in Juvardail, France, the 61-year-old de Rasily arrived in New Caledonia in 1973 and has been stationed in Fiji since 2003 as the provincial representative for the Oceanian Marists.

With no increases in French subsidies, economic activity in the territory stagnated. Effectively the only employment opportunities were in the civil service, and even there drastic decreases in the amount of possible overtime created many problems for employees. Two bingo games developed, despite a prohibition on gambling. While the administration

imposed fines for these activities, the Lavelua's daughter, Etua, gave them customary permission. Meanwhile, business boomed for Caledonian billionaire politician Didier Leroux, who has established a monopoly on food products for his Sofrana shipping and General Import retail companies.

In late May 2005, the founder and managing director of the Technic-Import Company fired a cashier after he noticed a deficit of 6 million CFP francs. Union members immediately confronted his company. Union leader Antonio Kulifatai explained on RFO-Wallis television that it was not really theft if the accused was in need. The protestors left without any trouble when the gendarmes arrived on 7 June.

On 28 July 2004, the *Southern Moana* container ship belonging to the Caledonian company Pacific Direct Line ran aground on Futuna's Leava Reef. A tugboat was dispatched from Fiji but was unable to free the ship. Eventually, the vessel was pulled off the reef by a tugboat from Brisbane, with the loss of only 3 of the 512 containers on board. Meanwhile, the chiefs appeared to have abandoned their attempt to create an airline.

According to the author of an article in *Tahiti Pacifique Magazine* in December 2004, Futuna is still the "lointaine île oublié"—the distant and forgotten island (Jean-Daniel 2004). Among other things, the author noted obsolete means of transportation and communication, especially the de Havilland aircraft that has flown between Wallis and Futuna

since 1987. He also wrote about the deteriorating quality of health care and noted that no kind of surgery was possible on Futuna.

The Wallis and Futuna community in New Caledonia is looking to become part of the "common destiny" extolled in the Noumea Accord, as well as to preserve its own heritage. During an intergenerational meeting of the Wallis and Futuna Association, an organizer noted, "A lot of young Wallisians are either born in New Caledonia or have mixed parentage. They don't really know anything about their background or traditions anymore" (*Les Nouvelles Caledoniennes*, 15 Feb 2005). The Wallis and Futuna community in New Caledonia was showcased in a Thursday-night open-air market in downtown Noumea (called "Jeudi du Centre-Ville"), which featured paintings by Soane Patita Takaniua as well as sculptures by Patrice Kaikilecofe.

On the political front, Anne-Marie Siakinuu, a teacher representing the Avenir Ensemble party, became president of the permanent commission of the New Caledonian Congress in July 2004. In May 2005, three of the four communitarian parties (Mouvement des citoyens calédoniens, Union océanienne, and Rassemblement des Océaniens dans la République) decided to merge under the leadership of Tino Manuohalalo and create the MUR party (using the first letter of the name of each old party).

The Wallis and Futuna community in metropolitan France continued to grow, with the approval of locally elected officials. Chief Corporal Patelise Falevalu from Futuna was

one of nine French soldiers killed in the Ivory Coast on 6 November 2004. He was part of the Second Infantry regiment of the French marines involved in UN-sanctioned Operation Unicorn, and was killed during the bombing of Bouaké by the Ivorian government's army.

The Wallisian-language website run from Canada by Filihau Asi Talatini is facilitating the emergence of a borderless cultural community <www.uvea-mo-futuna.com>.

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References

Jean-Daniel, F. 2004. Futuna, lointain île oubliée. *Tahiti Pacifique Magazine* (December), 46.

Le Chien Bleu. Monthly. Noumea.

Les Nouvelles Calédoniennes. Daily. Noumea.